

A RESOLUTION

BY COUNCILMEMBERS *Debi Starnes* DEBI STARNES AND NATALYN ARCHIBONG *Natalyn Archibong*

CREATING THE EASTSIDE REDEVELOPMENT AREA AND TAX ALLOCATION DISTRICT NUMBER FIVE -- EASTSIDE; DESIGNATING THE BOUNDARIES OF THE REDEVELOPMENT AREA AND TAX ALLOCATION DISTRICT; ESTABLISHING THE TAX ALLOCATION INCREMENT BASE FOR THE TAX ALLOCATION DISTRICT; ADOPTING A REDEVELOPMENT PLAN FOR THE AREA; ESTABLISHING THE INTENT TO ISSUE AND SELL TAX ALLOCATION BONDS NECESSARY TO EFFECTUATE THE REDEVELOPMENT OF THE AREA; AUTHORIZING ATLANTA DEVELOPMENT AUTHORITY TO ACT AS THE REDEVELOPMENT AGENT TO IMPLEMENT THE REDEVELOPMENT PLAN PURSUANT TO THE REDEVELOPMENT POWERS LAW AND THE URBAN REDEVELOPMENT LAW; AND FOR OTHER PURPOSES.

WHEREAS, the Redevelopment Powers Law (O.C.G.A. § 36-44-1 et seq.) provides for the establishment of redevelopment powers and the creation of redevelopment plans and tax allocation districts by counties and municipalities in the State of Georgia; and

WHEREAS, the purpose of the Redevelopment Powers Law is to improve economic and social conditions within substantially underutilized and economically and socially depressed urban areas that contribute to or cause unemployment, limit the tax resources of counties and municipalities while creating a greater demand for governmental services, have a deleterious effect upon the public health, safety, morals and welfare, and impair or arrest the sound growth of the community; and

WHEREAS, it is in the public interest of the City of Atlanta that the Redevelopment Powers Law be exercised to improve economic and social conditions of the Eastside Redevelopment Area in order to abate or eliminate deleterious effects of its current depressed and underutilized state; and

WHEREAS, the Council finds that the Eastside Redevelopment Area suffers from blighted and underdeveloped land characteristics that contribute to or cause unemployment, limit the tax resources of the City and County while creating a greater demand for government services, and in general have a deleterious effect on the public health, safety, and welfare; and

WHEREAS, the Council finds that the Eastside Redevelopment Area is substantially underutilized by containing a substantial number of open or vacant parcels and structures and buildings of relatively low value compared to the value of other structures and buildings in the vicinity and that the current condition of the area is less desirable than the redevelopment of the

area for new commercial, residential, office, and other uses, including the provision of pedestrian and transportation improvements; and

WHEREAS, adoption of the Eastside Redevelopment Plan and creation of the Eastside Tax Allocation District (the "Eastside TAD") is necessary to assure that downtown Atlanta maintains its historical position as the commercial center of the region and provides an alternative to the continued sprawling patterns of development in the region; and

WHEREAS, the City recognizes that new streetscapes, sidewalks, plazas and pocket parks, street-level retail, parking facilities, and new housing are needed to create an attractive, walkable Downtown and a 24-hour community; and

WHEREAS, the Eastside TAD can provide incentives and initial funding to catalyze the redevelopment of the Auburn Avenue and Memorial Drive/Martin Luther King, Jr. Drive corridors and the former Capital Homes and Grady Homes developments; and

WHEREAS, the City of Atlanta has designated the Atlanta Development Authority (the "ADA") as its Redevelopment Agency pursuant to O.C.G.A. § 36-44-1 et seq.; and

WHEREAS, it is in the public interest of the City that the Redevelopment Powers Law be exercised to improve the economic and social conditions of the Eastside Redevelopment Area in order to remedy the detrimental effects of its current depressed and underutilized state; and

WHEREAS, the ADA has prepared a Redevelopment Plan for the Eastside Redevelopment Area pursuant to O.C.G.A. § 36-44-3(9); and

WHEREAS, the Council of the City of Atlanta desires to adopt the Eastside Redevelopment Plan and create Tax Allocation District Number Five -- Eastside.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES AS FOLLOWS:

Section 1. The City of Atlanta finds and declares that the Eastside Redevelopment Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the Eastside Redevelopment Plan (hereinafter "Redevelopment Plan").

Section 2. The City of Atlanta finds and declares that improvement of the Eastside Redevelopment Area is likely to enhance the value of a substantial portion of other real property in the district.

Section 4. The City of Atlanta adopts the attached Redevelopment Plan prepared by the ADA as the Redevelopment Plan for the aforesaid area pursuant to the Redevelopment Powers Law.

Section 5. The City of Atlanta creates **Tax Allocation District Number Five -- Eastside** (the "Eastside TAD") pursuant to the Redevelopment Plan and the Redevelopment Powers Law.

Section 6. Tax Allocation District Number Five -- Eastside is hereby created as of December 31, 2003, and shall continue in existence until all redevelopment costs, including financing costs and debt service on tax allocation bonds, are paid in full.

Section 7. The City of Atlanta hereby establishes the estimated Tax Allocation Increment Base of _____. The property taxes to be used for computing tax allocation increments are specified in the attached Redevelopment Plan and incorporated herein by reference.

Section 8. The City of Atlanta designates the ADA to serve as its redevelopment agent to implement the provisions of the Redevelopment Plan and to effectuate the redevelopment of the Eastside Redevelopment Area pursuant to the Redevelopment Plan and the Redevelopment Powers Law.

Section 9. The City of Atlanta intends to authorize the issuance of tax allocation bonds and such other redevelopment bonds as may be necessary to implement provisions of the Redevelopment Plan.

a) Prior to issuance of tax allocation bonds, ADA will prepare a proposal for discussion and approval by the Mayor and Council for creation of an advisory committee to make recommendations to ADA and the City on projects to be funded from tax allocation bond proceeds.

b) The role and mission of the advisory committee and the composition and method of appointment of its membership shall be approved by resolution of the Council.

c) The role of the advisory committee shall include, but not be limited to, making recommendations to ADA and the City on the allocation and distribution of tax allocation bond proceeds within and among the various neighborhoods comprising the Redevelopment Area; provided, however, that at least 20 percent of the net proceeds of each tax allocation bond issue must be used to fund projects in the neighborhoods
residential

Section 10. The Council authorizes the use of the proceeds of such bonds by the ADA and the City of Atlanta for any and all eligible uses including, without limitation, costs of issuance of the tax allocation bonds; capital costs of public and private improvements, including but not limited to streets, bridges, utilities, storm and sanitary sewers, parks, parking facilities, sidewalks and streetscapes; professional services costs, including fees for architectural, engineering and environmental services; and such other uses deemed necessary pursuant to provisions of the Redevelopment Plan and the Redevelopment Powers Law.

Section 11. The property proposed to be pledged for payment or as security for payment of tax allocation bonds will include the positive ad valorem tax allocation increments derived from Tax Allocation District Number Five -- Eastside.

Section 12. The City hereby establishes a goal for the Redevelopment Area that a minimum of twenty percent (20%) of the new housing units to be funded from the proceeds of tax allocation bonds will be provided at a level of affordability to be determined by the City prior

to the issuance of tax allocation bonds. To achieve this goal, the following procedures shall be implemented:

a) Housing Assessment: Within 180 days of the effective date of the Eastside TAD, ADA shall prepare or cause to be prepared an assessment of the existing housing stock within the Redevelopment Area that analyzes the number, age, and affordability of the housing units in each neighborhood within the Redevelopment Area.

b) Compliance Assessment: ADA shall measure and assess affordability within the Redevelopment Area every five years beginning after the effective date of the Eastside TAD and recommend any adjustments or revisions to the Redevelopment Plan and the City's use of tax allocation bond proceeds and other resources in order to maintain compliance with the affordability goal.

Section 13. Creation of the Eastside TAD by the City is contingent upon receiving consent from Fulton County and the Atlanta Board of Education for inclusion of their respective shares of ad valorem taxes in the computation of the tax allocation increment.

Section 14. All resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.